

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDREW K. MITCHELL,

Defendant.

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CASE NO: 2:19-cr-53

CHIEF JUDGE EDMUND A. SARGUS, JR.

DEFENDANT ANDREW K. MITCHELL'S
MOTION FOR DISCOVERY

Now comes the Defendant, Andrew K. Mitchell, by and through counsel, and hereby requests the Government to provide forthwith the Discovery materials authorized under Rule 16 of the Federal Rules of Criminal Procedure as follows:

(A) To permit the Defendant to inspect and copy or photograph any of the following which are available, to or within the possession, custody, or control of the Government, the existence of which is known or by the exercise of due diligence may become known to the Government.

- (1) Relevant written or recorded statements made by the Defendant or Co-Defendant, or copies thereof;
- (2) Written summaries of any oral statement, or copies thereof, made by the Defendant, Co-Defendant of alleged Co-Conspirator to the Government or any Law Enforcement Officer;
- (3) Recorded testimony of the Defendant, Co-Defendant, or alleged Co-Conspirator before a Grand Jury.

(B) To furnish Defendant a copy of the Defendant's prior criminal record available to or

within the possession, control, or custody of the Government.

(C) To permit Defendant and/or Counsel to inspect a copy or photograph, books, papers, documents, photographs, tangible objects, buildings or places, or copies or portions thereof, available to or within the possession, control, or custody of the Government, and which are material to the preparation of the defense, or are intended for use by the Government as material to the preparation of a defense, or are intended for use by the Government as evidence at trial, or which were obtained from or belonged to the Defendant.

(D) To permit Defendant and/or Counsel to inspect and copy or photograph any results of physical or mental examination, and of scientific tests or experiments, made in connection with the particular case, or copies thereof, available to or within the possession, custody, or control of the Government, the existence of which is known or by the exercise of due diligence may become known to the Government.

(E) To furnish Defendant and/or Counsel a written list of the names and addresses of all witnesses whom the Government intends to call at trial, together with any record or prior felony convictions of such witnesses, which record is within the knowledge of the Government.

(F) To disclose to Counsel for Defendant all evidence, known or which may become known to the Government, which is favorable to the Defendant and material either to guilt or punishment.

(G) To furnish Counsel prior to trial the written or recorded statements, or summaries thereof, of any witness relevant to these proceedings, or in the alternative have available such statements for an in camera inspection by the Court.

Respectfully, this demand is continuing in nature. If, subsequent to compliance with this request, the Government discovers additional responsive materials, those materials shall promptly be transmitted to the Defendant.

Respectfully submitted,

/s/ Mark C. Collins

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CERTIFICATE OF SERVICE

I hereby certify that on March 21, 2019, I electronically filed this Motion for Discovery using the CM/ECF System, which will send notification of such filing to the following: Jessica Kim, Esq. and Kevin Kelley, Esq.

/s/ Mark C. Collins

MARK C. COLLINS (0061207)